

AN ORDINANCE

NO. 191

REGULATING PARKING AND LIMITED AND RESTRICTING VEHICULAR TRUCK TRAFFIC ON CERTAIN STREETS AND ROADS. REGULATING THE KIND AND CLASSES OF VEHICULAR TRAFFIC ON CERTAIN STREETS AND ROADS AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

SECTION 1. DEFINITIONS

The word "truck" as used herein is any vehicular device or means of equipment by which persons or property may be transported upon the highways or streets having a gross vehicular weight of over 30,000 pounds.

The word "operation" means the movement of vehicles on the surface of the streets and roads of the Township of Upper Yoder.

The word "posted" or "posting" means that signs will be placed on the roadways and streets warning of the restrictions on the use of the roadways by certain truck traffic.

The words and phrases used in this Ordinance shall have the meanings respectively ascribed to them in the operating section of the Motor Vehicle Code of the Commonwealth of Pennsylvania as supplemented and amended.

SECTION 2. RESTRICTED STREETS

No person shall operate a truck or vehicle of any kind as described in Section 1 herein upon the public highways and streets in Upper Yoder Township, as

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-Entire length

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designate certain streets and highways other than those herein listed that shall be off-limits to trucks as herein defined.

SECTION 4. AUTHORITY TO POST

The Board of Supervisors hereby declares that it has, as authorized by the Vehicle Code, caused, and may in the future cause official signs to be erected on and along certain public roads and highways of the Township regulating the use of said roads and berms by certain types of vehicles.

From and after the effective date hereof no person shall operate certain type vehicles as heretofore defined on such roads or streets in any manner contrary to the regulations so established, except as hereinafter provided.

SECTION 5. PERMITS AND BONDING

The Board of Supervisors may, upon request in writing by any person or firm for permission to use said roads or streets set forth in Section 2 hereof in excess of the restrictions imposed by Section 1 hereof, grant a permit to said person or firm to use said street or road upon such terms and conditions as deems necessary and upon compliance with the following conditions:

A. Submission to the Board of Supervisors of a precise narrative statement of the proposed use of said road or street, the number of vehicles to be used, the gross weight of said vehicles, the length of the street or road to be used, the times and days of intended use and the proposed period of time requested.

B. Executing an agreement whereby the user agrees to promptly repair any damage to the street or road including the harm thereof caused by such use, and the posting of a cash or fidelity bond in the amount of Twelve Thousand Five Hundred (\$12,500.00) Dollars per mile or fraction thereof with the Township to cover the cost of repairs should the user fail to keep said road or street properly maintained and repaired.

C. Payment of a permit fee in the amount of Twenty-five (\$25.00) Dollars to the Township to cover the cost of processing and periodic inspection of said street or road.

SECTION 6. EXCEPTIONS

The provisions of this Ordinance shall not apply to trucks making local deliveries to residents and firms located on any public highway or street set forth in Section 2 hereof, nor shall it apply to residents or firms located on said restricted road or street, who own and or operate trucks in excess of the weight restriction set forth in Section 1 hereof, who are required to use said roads or streets for access to their residence or place of business.

SECTION 7. REVOCATION

The Board of Supervisors may revoke any permit so issued upon the failure of the user to faithfully comply with subsection "B" above.

SECTION 8. FINES AND VIOLATIONS

Any person violating any of the provisions of this Ordinance shall, upon conviction, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars or more than Two Hundred Fifty (\$250.00) Dollars for each and every separate offense, together with costs of prosecution and in default of the payment of such fine and costs, be sentenced to imprisonment in the county jail for not more than thirty (30) days.

SECTION 9. SEVERABILITY

The provisions of this ordinance shall be severable and if any of its

provisions shall be held to be unconstitutional or illegal, such decisions shall not affect the validity of any of the remaining provisions of this Ordinance.

SECTION 10. AUTHORITY FOR ENACTMENT

This Ordinance is enacted pursuant to the Second Class Township Code and shall take effect according to law.

Ordained and enacted this 5th day of June, 1984.

TOWNSHIP OF UPPER YODER

ATTEST:

By *Donald W. Gwin*
President
Vice-Chairman

Andrew J. Atkinson
Secretary

RICHARD J. GREEN, JR., ESQUIRE
Attorney at Law
305 Franklin Street
Johnstown, PA 15901

Approved,
Richard J. Green, Jr.
Collector

AN ORDINANCE

NO. 192

AN ORDINANCE AMENDING ORDINANCE NO. 191 TITLED REGULATING PARKING AND LIMITED AND RESTRICTING VEHICULAR TRUCK TRAFFIC ON CERTAIN STREETS AND ROADS. REGULATING THE KIND AND CLASSES OF VEHICULAR TRAFFIC ON CERTAIN STREETS AND ROADS AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED by the Supervisors of Upper Yoder Township, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

SECTION 1. Section 2. Restricted Streets of Ordinance No. 191 is hereby amended to read as follows:

'Section 2. Restricted Streets

No person shall operate a truck or vehicle of any kind as described in Section 1 herein upon the public highways and streets in Upper Yoder Township, as follows:

Coon Ridge Road -Entire length

Woodmont Road -Entire length

SECTION 2. Any Ordinance or parts thereof in conflict herewith are hereby repealed.

Ordained and enacted this 6th day of November, 1984.

TOWNSHIP OF UPPER YODER

ATTEST:

Audrey J. Atkinson
Secretary

By Donald W. Lewis
President

RICHARD J. GREEN, JR., ESQUIRE
Attorney at Law
305 Franklin Street
Johnstown, PA 15901